REMARKS

Claims 1-22 are pending in this application. By this Amendment, claims 2 and 4 are amended to recite features supported in the specification at, for example, page 5, lines 16-26 and page 8, lines 6-17. No new matter is added by any of these amendments.

Reconsideration based on the following remarks is respectfully requested.

The Office Action rejects claim 1 under 35 U.S.C. §102(e) over U.S. Patent Publication 2003/0188629 to Suenaga; claims 2, 4 and 6 under 35 U.S.C. §102(b) over U.S. Patent 4,852,443 to Duncan *et al.* (incorrectly identified in the Office Action as U.S. Patent 5,980,096 and hereinafter "Duncan"); claim 22 under 35 U.S.C. §102(b) over U.S. Patent 5,438,529 to Rosenberg *et al.* ("Rosenberg"); claims 3, 5 and 7 under 35 U.S.C. §103(a) over Suenaga in view of Duncan; claims 8 and 15 under 35 U.S.C. §103(a) over Suenaga in view of U.S. Patent 6,342,665 to Okita; claims 9, 11, 13, 16, 18 and 20 under 35 U.S.C. §103(a) over Duncan in view of Okita; and claims 10, 12, 14, 17, 19 and 21 under 35 U.S.C. §103(a) over Suenaga in view of Duncan and further in view of Okita. These rejections are respectfully traversed.

Regarding claims 1, 3, 5, 7, 8, 10, 12, 14, 15, 17, 19 and 21, Applicants claim a foreign priority date of August 9, 2002 under 35 U.S.C. §119 based on Japanese Patent Application 2002-233261. A verified English translation of the priority document is attached (MPEP §1893.01(d)). Although Suenaga claims a priority date of April 5, 2002 for Japanese Patent Application 2002-104587, such foreign priority may not be properly applied for a reference. The filing date for Suenaga is March 28, 2003 and is antedated by Applicants' priority date. Thus, Suenaga is not a proper reference under 35 U.S.C. §§ 102(e) or 103(a) (MPEP §201.15). Further, the Japanese application was published on October 15, 2003 as Publication No. 2003-295864, which is antedated by the Applicants' filing date. Thus, the Japanese Publication also does not quality as prior art.

Duncan does not teach or suggest an input device which outputs a signal by applying a beating input to a planar input area in a predetermined region, wherein the input area includes a sheet-like input sensor which is disposed over the almost entire surface of the input area, the input sensor being divided into a plurality of sections each section having printed contacts with an air gap formed therebetween, as recited in claim 2.

Also, Duncan fails to teach or suggest an input device which outputs a signal by applying a beating input to a planar input area in a predetermined region, wherein the input area includes a sheet-like input sensor which is disposed over the almost entire surface of the input area, the input sensor being divided into a plurality of sections, and wherein when a boundary portion is beaten, the boundary portion being between the divided sections, each of which have one of first and second input sensors, both sensors sense the beating input, which is determined as the beating input is applied to any one of the sections, as recited in claim 4.

Instead, Duncan discloses a capacitive pressure sensing apparatus. In particular, Duncan teaches a two-dimensional input pressure sensor with a thin elastomeric pad 1 having tapered projections 1′ arranged in an array over an electrode surface 3 separated from the projections 1′ by an electric layer 2 (col. 2, lines 44-63 and Fig. 1 of Duncan). There is no teaching or suggestion in Duncan for printed contacts separated by an air gap as recited in claim 2. Further, Duncan fails to teach or suggest first and second input sensors of divided sections to sense the beating input, as recited in claim 4.

Rosenberg does not teach or suggest a program for playing a music game with a percussion instrument, wherein the game starts when an initially inputted beating operation signal is received as a start signal in a start acceptance state prior to starting the game, as recited in claim 22.

Instead, Rosenberg discloses an audio system. In particular, Rosenberg teaches an audio card interface and a loud speaker (col. 5, lines 60-67 and Fig. 1 of Rosenberg). The

portions of Rosenberg that are applied in the Office Action do not disclose that a game starts when an initially-input beating operation signal is received as a start signal in a start acceptance state prior to starting the game, as recited in claim 22. Hence, Applicants submit that Rosenberg fails to teach or suggest the combination of features recited in claim 22.

A claim must be literally disclosed for a proper rejection under §102. This requirement is satisfied "only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference" (MPEP §2131). Applicants assert that the Office Action fails to satisfy this requirement with either Duncan or Rosenberg.

Okita does not compensate for the deficiencies of Suenaga as an improper reference outlined above for claim 1. Thus, claims 9-14, 16-21 cannot be maintained to unpatentable over the combination of Suenaga, Duncan and Okita.

For at least these reasons, Applicants respectfully assert that the independent claims are patentable over the applied references. The dependent claims are likewise patentable over the applied references for at least the reasons discussed, as well as for the additional features they recite. Consequently, all the claims are in condition for allowance. Thus, Applicants respectfully request that the rejections under 35 U.S.C. §§102 and 103 be withdrawn.

In view of the foregoing, Applicants respectfully submit that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further is desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the telephone number listed below.

Respectfully submitted,

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JAO:GWT/gwt

Attachments:
Petition for Extension of Time
Amendment Transmittal
Verified English Translation of Priority Document

Date: September 2, 2005

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